



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 3410
Tsunehiro FUKUCHI et al. : Attorney Docket No. 2005_0024A
Serial No. 10/522,603 : Group Art Unit 1655
Filed January 26, 2005 : Examiner Catheryne Chen

CHINESE HERB MEDICINE COMPOSITION: **Mail Stop Amendment**
IN THE FORM OF JELLY

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

Responsive to the Office Action of March 13, 2008, constituting a requirement for election of a specific Chinese herbal medicine from claims 3-8, Applicants hereby elect, with traverse, the species recited in claim 8. Specifically, Applicants elect the species wherein the Chinese herbal medicine is selected from the group consisting of Kakkon-to and Sho-saiko-to.

This election is made while reserving Applicants' rights under 35 U.S.C. § 121 to file a divisional application for the non-elected subject matter.

Action on the merits is respectfully requested.

Respectfully submitted,

Tsunehiro FUKUCHI et al.

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